

REMARKS**REJECTIONS UNDER 35 U.S.C. § 103**

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,169,139 to van Cleeff. According to the Examiner, van Cleeff teaches fluoroelastomer latex coating compositions that include curing agents and coagents, and specifically teaches the use of peroxides as suitable curing agents. The Examiner acknowledges that organic peroxides are not taught, but nonetheless maintains that one of ordinary skill in the art would employ an organic peroxide in view of the teaching within van Cleeff.

Reconsideration is respectfully requested. Applicants agree that van Cleeff teaches that "curatives such as amines, bisphenols, or peroxides may be used."¹ But, Applicants' claimed process includes features that are not taught or suggested by van Cleeff. Accordingly, Applicants maintains that the Examiner has not established a *prima facie* case of obviousness. Moreover, Applicants have surprisingly discovered that certain processing parameters yield unexpected results.

To begin with, Applicants process requires an organic peroxide and a coagent. van Cleeff fails to teach a coagent. While van Cleeff not only fails to teach any coagent, the specific coagents set forth in claims 8 and 9 are likewise not taught. Significantly, Applicants have found that the fluoroelastomer latexes will not adequately cure in the absence of a coagent. Furthermore, Applicants' claimed process requires the curing of the film at an elevated temperature. Not only does van Cleeff fail to exemplify the curing of a fluoroelastomer latex with a peroxide, it also fails to set forth a temperature at which a film must be cured in order to affect the peroxide. Significantly, Applicants have found that an inadequate cure will result in the absence of elevated temperature. Notably, claim 18 set forth that the step of curing occurs at about 130° to about 150°C for about one hour. Still further, the Applicants process, at claim 15, requires adding from about 1 to about 10 parts by weight net curing agent per 100 parts by weight fluoroelastomer. Applicants have surprisingly found that this amount of curing agent yields unexpectedly superior results. van Cleeff fails to teach or exemplify the amount of

¹U.S. Patent No. 6,169,139, column 9, lines 28-29.

peroxide curative that would be useful and, moreover, fails to teach or suggest the unexpected results that Applicants have discovered.

CONCLUSION

In view of the foregoing amendments and arguments presented herein, the Applicants believe that they have properly set forth the invention and accordingly, respectfully requests the Examiner to reconsider the rejections provided in the last Office Action. A formal Notice of Allowance of claims 1-28 is earnestly solicited. Should the Examiner care to discuss any of the foregoing in greater detail, the undersigned attorney would welcome a telephone call.

A check in the amount of \$144.00 is enclosed for the addition of claims 21-28. No further fees are believed to be due at this time, nonetheless, in the event that a fee required for the filing of this document is missing or insufficient, the undersigned attorney hereby authorizes the Commissioner to charge payment of any fees associated with this communication or to credit any overpayment to Deposit Account No. 18-0987.

Respectfully submitted,



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MARKED-UP CLAIMS

- 1 16. (Amended) The process of claim [1] 15, where step of adding a coagent
- 2 includes adding from about 1 to about 10 parts by weight net coagent per 100
- 3 parts by weight fluoroelastomer.